

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAIBER LLC,

Plaintiff,

-against-

20 TSQ LESSEE LLC, and MAEFIELD
DEVELOPMENT CORPORATION,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/26/2020

1:20-cv-03213 (MKV)

ORDER OF
DISMISSAL

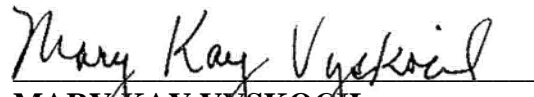
MARY KAY VYSKOCIL, United States District Judge:

The Complaint in this action was filed on April 23, 2020 [ECF #1]. Executed summonses were filed on the docket on July 13, 2020 and July 14, 2020, reflecting service on June 26, 2020 and July 1, 2020 [ECF #9-10]. Defendants' responses were, thus, due no later than July 22, 2020, but nothing has been filed. Since then, Plaintiff has taken no action to prosecute this case. Accordingly, it is hereby:

ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **November 25, 2020**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

SO ORDERED.

Date: October 26, 2020
New York, NY


MARY KAY VYSKOCIL
United States District Judge